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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH GIULIANO,

Defendant.

Case No. 2:14-cr-371-HDM-DJA

ORDER GRANTING
THIRTEENTH STIPULATION
TO CONTINUE SENTENCING

This stipulation is timely filed.

The United States of America, through Christopher Chiou, Acting United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, and the defendant Joseph Giuliano, by and through his counsel, Shawn R. Perez, Esq., stipulate and agree and jointly move this Honorable Court to vacate the sentencing hearing set for Tuesday, April 13, 2021 at 9:00 a.m. and reset the sentencing proceedings in this matter at a date six (6) months from the current setting.

The parties make this stipulation and motion for good cause and not for the purposes of delay. Mr. Giuliano prefers an in-person sentencing without masks after an opportunity to consult and prepare with his counsel in person and asks that the sentencing be deferred until

1 prudent safety measures established by the Court would allow that to happen without
2 unnecessary risk to any of persons involved.

3 The government does not believe that on balance the interests of justice would be
4 harmed by a continuance to accommodate Mr. Giuliano's preference for an in-person
5 sentencing proceeding without masks. Should conditions permit an earlier sentencing, the
6 government will not oppose a request by Mr. Giuliano to advance his sentencing.

7 The possibility remains that defendant Giuliano may be called to testify in proceedings
8 in a related case or assist in other matters pursuant to his plea agreement. The parties agree that
9 it is in the interest of justice to defer sentencing until those related matters have been resolved.
10 Defendant Giuliano believes it is in his best interest to do so.

11 Defendant Giuliano is not in custody and agrees to this continuance.

12 Denial of this request for continuance could result in a miscarriage of justice.

13 This is the thirteenth request to continue sentencing in this matter.

14 The parties respectfully request this Honorable Court issue the attached proposed Order
15 to accomplish these ends.

16 Dated March 22, 2021

17 Counsel for Defendant
18 JOSEPH GIULIANO

CHRISTOPHER CHIOU
Acting United States Attorney

19 //s// Shawn R. Perez
20 SHAWN R. PEREZ, ESQ.
Law Offices of Shawn R. Perez

//s// Daniel J Cowhig
DANIEL J. COWHIG
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
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ORDER

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the stipulation of the parties and the record in these matters, the Court finds that the parties make this stipulation and motion for good cause and not for the purposes of delay. On the government's representation that it does not believe that on balance the interests of justice would be harmed by a continuance to accommodate Mr. Giuliano's preference for an in-person sentencing proceeding without masks and the record in this matter, the Court finds that the interests of justice would not be harmed by the continuance of this sentencing proceeding.

Further, the possibility remains that defendant Giuliano may be called to testify in proceedings in a related case or in other matters, pursuant to his plea agreement. The parties agree that it is in the interest of justice to defer sentencing until those related matters have been resolved.

Defendant Giuliano believes it is in his best interest to do so.

Defendant Giuliano is not in custody and agrees to this continuance.

Denial of this request for continuance could result in a miscarriage of justice.

1 This is the thirteenth request to continue sentencing in this matter.

2 **ORDER**

3 **IT IS HEREBY ORDERED**, on the stipulation of the parties and good cause appearing
4 therefor, that the sentencing hearing set for Tuesday, April 13, 2021 at 9:00 a.m. be vacated and
5 reset for Thursday, October 14, 2021 at 8:30 a.m. in a Las Vegas Courtroom (tbd) before Judge
6 Howard D. McKibben.

7 **IT IS SO ORDERED** this 23rd day of March 2021.

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UNITED STATES DISTRICT JUDGE